


Councilmember Kenyan R. McDuffie

A BILL

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To declare the existence of an emergency basis, due to congressional review, with respect to the need to amend the Health Services Planning Program Re-establishment Act of 1996 to clarify that the State Health Planning and Development Agency currently has the authority to approve or disapprove the closure or termination of services of a health care facility; and to amend the Health-Care and Community Residence Facility Hospice and Home Care Licensure Act of 1983 to authorize the Director of the Department of Health to issue a provisional license in the specified circumstance.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “Clarification of Hospital Closure Procedure Congressional Review Emergency Declaration Resolution of 2019”.

Sec. 2. (a) Emergency legislation is necessary to prevent a gap in the law as the temporary legislation, the Clarification of Hospital Closure Procedure Temporary Amendment Act of 2018, enacted on December 10, 2018 (D.C. Act 22-533; 65 DCR 13441), has not completed congressional review and is not projected to become law until February 26, 2019.

(b) Emergency legislation, the Clarification of Hospital Closure Procedure Emergency Amendment Act of 2018, effective November 1, 2018 (D.C. Act 22-498; 65 DCR 12327), expired on January 30, 2019.

(c) Because the temporary legislation will not become law until after the expiration of the emergency legislation, a congressional review emergency is needed to prevent a gap in the law.

35 Sec. 3. The Council of the District of Columbia determines that the circumstances
36 enumerated in section 2 constitute emergency circumstances making it necessary that the
37 Clarification of Hospital Closure Procedure Congressional Review Emergency Amendment Act
38 of 2019 be adopted after a single reading.

39 Sec. 4. This resolution shall take effect immediately.